



DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE WEST
33000 NIXIE WAY, BLDG 50 Suite 207
SAN DIEGO, CA 92147

5720
Ser BPMOW.hmw/101
April 7, 2020

Ms. Jade Smith-Williams
Walkup, Melodia, Kelly & Schoenberger
650 California Street
26th Floor
San Francisco, CA 94108

Dear Ms. Smith-Williams:

This correspondence is in regard to your Freedom of Information Act (FOIA) request of March 22, 2019, and was received by this office on April 25, 2019, in which you seek the following:

- Any and all writings related to the remediation, at any time, of Building 606;
- Any and all writings related to the construction of Building 606;
- Any and all writings related to the remediation, at any time, of Former Building 503;
- Any and all writings related to the demolition of Former Building 503;
- Any and all writings related to the testing (including sampling, surveying, screening, or any other test) of the building materials and/or soil at or about Former Building 503;
- Any and all writings related to the testing (including sampling, surveying, screening, or any other test) of the building materials and/or soil at or about Building 606;
- Any and all writings related to air testing conducted within Parcel D at any time from 1968 to the present;
- Any and all writings related to air testing conducted within Parcel E at any time from 1968 to the present;
- From 1940 to 2009, all plans and reports (whether draft, final, or interim, work plan, remedial investigation, action plan, closure plan, inspection plan, sampling plan, sampling report, or other) by PRC Environmental Management, Inc., which contain as any part of their subject matter any of the following topics: Parcel D (any parcel-wide report), Parcel E (any parcel-wide report), Former Building 503 at Hunters Point Naval Shipyard / Hunters Point Annex, Building 606 at Hunters Point Naval Shipyard / Hunters Point Annex, IR-08 at Hunters Point Naval Shipyard / Hunters Point Annex, The Naval Post Office at Hunters Point Naval Shipyard / Hunters Point Annex.

Your request was assigned FOIA number 2019-006409. By email dated May 15, 2019, the scope of this request was modified as follows:

- Test results of the building materials and/or soil at or about Former Building 503.
- Test results of the building materials and/or soil at or about Building 606.

- Test results related to air testing conducted within Parcel D from 1968 to present.
- Test results related to air testing conducted within Parcel E from 1968 to present.
- From 1991 to 2009, final plans and reports by PRC Environmental Management, Inc., which contain as any part of their subject matter any of the following topics:
 - a. Parcel D (any parcel-wide report)
 - b. Parcel E (any parcel-wide report)
 - c. Former Building 503 at Hunters Point Naval Shipyard/Hunters Point Annex
 - d. Building 606 at Hunters Point Naval Shipyard / Hunters Point Annex
 - e. IR-08 at Hunters Point Naval Shipyard / Hunters Point Annex

In an attempt to further narrow the scope, an index of potentially responsive documents contained in the Naval Facilities Engineering Command (NAVFAC) Administrative Record was provided in an email dated January 7, 2020. Our office has made many attempts via voicemail and email to narrow this request. On February 11, 2020 and March 17, 2020 we sent a request to narrow the scope by selecting documents from the provided index. In the email dated March 17, we indicated that we would close out this request with no further action on March 31, 2020. We have not received any response from you regarding that correspondence. Our office has closed out this FOIA request and will post this response on FOIAonline.

Please be advised that fees associated with the processing of your request will not be charged in this instance.

In view of the above, you may consider this to be an adverse determination that may be appealed. Since you have created an account in FOIA online, you may submit an appeal directly within the web-based system. To do this, you would log in to your account, retrieve your original request, and then click on the "Create Appeal" tab in the left-hand column. The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to:

The Department of the Navy
Office of the General Counsel (ATTN: FOIA APPEALS)
1000 Navy Pentagon, Room 5A532
Washington, DC 20350-1000

Your appeal, if any, must be transmitted (if appealing by FOIA ONLINE) or postmarked (if appealing by mail) within 90 calendar days from the date of this letter. Please be advised that a FOIA requestor has the burden of proving timely submission of an appeal. Additionally, you must include in your appeal a statement indicating why you believe your appeal should be granted, and you are encouraged to also include a copy of your initial request and a copy of this letter.

For any further assistance regarding any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at Christopher.A.Julka@navy.mil or 703-697-0031. Additionally, you have the right to contact the

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Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-01, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Please direct any questions concerning this matter to Ms. Meredith Richards, who may be contacted at meredith.richards@navy.mil or (619) 524-1637.

Sincerely,

KIMBERLY A. OSTROWSKI
Director